

DECLARATION

DECLARATION OF DAVID N. TARLOW

DAVID N. TARLOW declares and states:

1. I am an attorney duly admitted to practice law before this Court and all of the Courts of the State of California.

2. I submit this declaration in opposition to Plaintiff TICKETMASTER, LLC, ("TM") a Virginia limited liability company's motion for a protective order ("motion").

3. In the declaration of Raaqim Knight, he states that at the mandatory meeting of counsel on Wednesday, March 5, 2008, I told him that RMG was refusing to stipulate to a protective order. This statement is incorrect. What I told Mr. Knight was that it was my understanding that RMG was not amenable to entering into a protective order, since Ticketmaster refused to stipulate to a protective order at the time that it asked for expedited discovery, which included the source code of RMG's TBAT product. I also told Mr. Knight that I was in the process of drafting an appeal which was due on March 14, and that I was scheduled to start a jury trial on March 17, and that I would attempt to give him a response to his request during the week of March 10, 2008, but that I did not know when I would be able to give him a response. Mr. Knight told me that the partners at his firm required a response by March 7, 2008. I told him I simply could not commit to his partners' schedule.

4. On March 12, 2008, Mr. Knight emailed the joint stipulation in this matter.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

EXECUTED this 19TH day of March, 2008.


DAVID N. TARLOW